

REMARKS

The claims were rejected as being indefinite because it was contended that the limitation "operating in a second mode by: ... using the heated combustion products and the flue gas to drive the gas turbine ... was not clear since it might refer to the flue gas recycling found in mode A. That limitation has been amended and Applicant believes that source of the heated combustion products is clear. Therefore, Applicant requests withdrawal of the rejection.

The claims were also rejected as being obvious over Ooka CA 2,465,384 in view of Andersen (US 2003/0131582). Applicant respectfully traverses.

As an initial matter, claim 1 has been amended to clarify that the claimed method relates to generating power in alternative exclusive modes: (A) or (B). It is now clear that in mode (A) the flue gas is compressed in a flue gas compression train and a part of the compressed flue gas stream is supplied to the combustor of the gas turbine with the remainder of the compressed flue gas stream being supplied to a suitable underground storage region. In addition, in the alternative exclusive mode (B), the flue gas compression train is disconnected. Moreover, the present method is defined such that when power is not generated using the first mode, power is generated using the second mode and when power is not generated using the second mode, power is generated using the first mode. As a result, the present method makes it possible to operate a compressor/combustor/gas turbine assembly in one mode using air and in another alternative mode using oxygen, rather than air, which reduces the total volume of gas handled by the system.

In contrast, neither Ooka nor Anderson (or for that matter the proposed combination) shows or suggests such a method. Specifically, the proposed combination does not teach a method of generating power in alternative exclusive modes. In addition, the proposed combination does not teach or suggest a method wherein in one mode, the flue gas is compressed in a flue gas compression train such that a portion of the compressed flue gas is supplied to the combustor of the gas turbine and the remainder of the compressed flue gas is supplied to a suitable underground storage region but in a second alternative exclusive mode, the flue gas compression train is disconnected. In view of the lack of teaching or suggestion in the proposed combination, Applicant contends that a *prima facie* case of obviousness has not been established and, therefore, Applicant requests that the rejection be withdrawn.

It is believed that all the claims are in condition to be allowed. The Examiner is invited to contact the undersigned attorney for the Applicant via telephone at (312) 321-4276 if such communication would expedite allowance of this application.

Respectfully submitted,

/G. Peter Nichols/
G. Peter Nichols
Registration No. 34,401
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200